

PCT



File No.: 6013-129US MG/lvl

Québec, Canada

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Philippe Tessier et al.
Serial No.: 10/551,234
Filing Date:
Art Unit: 1614
Title: S100 PROTEIN AS NEUTROPHIL ACTIVATOR FOR
ALLEVIATING NEUTROPENIA IN CANCER TREATMENT

FIRST INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97

NO FEE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on a PTO/SB/08A/B form is a listing of the documents known to applicant in order to comply with applicant's duty of disclosure pursuant to 37 C.F.R. § 1.56.

The submission of any document which is not a statutory bar is not intended as an admission that such document constitutes prior art against the claims of the present application. Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a prima facie prior art reference against the claims of the present application.



Statement of Relevancy

The listed document is being submitted either in compliance with 37 C.F.R. §1.97(b), within three (3) months of the filing date of a national application or of the date of entry of the national stage in an international application, or before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under §1.114; or pursuant to 37 C.F.R. §1.97(e)(1), within three (3) months from the date of an office action or of a search report issued in a foreign counterpart application citing each of the documents contained in the present statement; or pursuant to 37 C.F.R. §1.97(e)(2), within three (3) months from the first knowledge of each submitted document by any individual designated in C.F.R. §1.56(c), when each such document was not cited in a communication from a foreign patent office in a counterpart foreign application.

In the case of submission under 37 C.F.R. §1.97(e)(1) and (2), the undersigned Attorney/Agent of Record hereby certifies that the enclosed list of references is hereby submitted within three months (1) from the issuance of the foreign action or search report, or (2) from said first knowledge, respectively.

The Examiner is kindly requested to consider these references during the examination of the above-identified application, making the references of record, and to return an initialed copy of the PTO/SB/08A/B Form to the below-signed agent.

Respectfully,

January 25, 2006
Date

Marie-Hélène Rochon
Agent of the Applicant
Marie Hélène Rochon, Reg. No. 57,566
OGILVY RENAULT LLP
Customer Number:

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Substitute for form 1449A and B/PTO <div style="text-align: center;"> INFORMATION DISCLOSURE STATEMENT BY APPLICANT </div> <div style="text-align: center;"> <i>(use as many sheets as necessary)</i> </div>				Complete if Known	
				Application Number	10/551,234
				Filing Date	
				First Named Inventor	Philippe Tessier
				Art Unit	1614
				Examiner Name	
Sheet	1	of	2	Attorney Docket Number	6013-129US MG/lyl

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FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant Of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		Country Code3 – Number4 – Kind Code5 (if known)			
		WO 2004/004770	01/15/2004	RYCKMAN et al.	
		EP 1066834	01/10/2001	Stief, Thomas, Dr.	
		DE 19811047	04/15/1999	Kiesewetter et al.	
		WO 97/34013	09/18/1997	Ni et al.	
		WO 00/20621	04/13/2000	Schmidt et al.	
		WO 99/47561 / EP 1062237	09/23/1999	Kiesewetter et al.	
		EP0219400	04/22/1987	El Akoum et al.	

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

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First Named Inventor	Philippe Tessier
Art Unit	1614
Examiner Name	
Attorney Docket Number	6013-129US MG/lyl

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		KUMAR et al. "Dimeric S100A8 in human neutrophils is diminished after phagocytosis" 2001, Journal of Leukocyte Biology, 70:59-64	
		NISAPAKULTORN et al. "Calprotectin expression in vitro by oral epithelial cells confers resistance to infection by porphyromonas gingivalis" 2001, Infection and Immunity, 69:4242-4247	
		PASSEY et al. "S100A8:emerging functions and regulation" 1999, J. Leukocyte. Biol., 66(4):549-556	
		YANG et al. « Proinflammatory properties of the human S100 protein S100A12 »2001, J. Leukoc Biol. 69:986	

Examiner
SignatureDate
Considered

*EXAMINER; Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.